

## REMARKS

In the restriction action of February 16, 2010, the Examiner asserted that the subject matter of claims 19-23 (Group II) and that of claims 1-18 (Group I) are not so linked as to form a single general inventive concept. The Examiner's restriction is respectfully traversed.

In reasoning the restriction, the Examiner has stated that:

"they lack the same or corresponding technical features...: each of the disorders/conditions to be treated have different etiology and have different known treatment, for example, diabetes can be treated with antidiabetic agent and prolonged survival of transplanted pancreatic cells can be accomplished by the employment of immunosuppressive agents".(page 2 of the Restriction Action).

Applicants wish to point out that pancreatic cell transplantation is exclusively performed for treatment of diabetes, and that inhibiting insulitis is critical for treatment and prevention of diabetes in both non-transplanted and transplanted patients. Thus, Applicants submit that claims 1-23 are linked by the general inventive concept of treating diabetes or insulitis with a cannabidiol, and respectfully request rejoinder of claims 19-23 along with claims 1-18, into a single inventive entity.

In the event that the Examiner does not rejoin claims 1-23 into a single inventive group as requested supra, Applicant hereby elects **Group I, namely Claims 1-18**, drawn to the use of a cannabidiol for the manufacture of a medicament for the treatment or prevention of diabetes and insulitis.

It is believed that claims 1-18, and new claims 24 and 25 are readable on the elected species.

Claim 1 has been amended to include the limitation of the treatment or prevention of diabetes in a subject. Support for such an amendment is found throughout the instant specification, for example, page 5, line 25-27:

"The method of treatment according to the present invention is effected by administering to a subject, such as human subject, a pharmaceutically effective amount of a cannabidiol."

New claims 24 and 25 have been added. Claims 24 and 25 are dependent from claims 1 and 11, respectively, and include the further limitation of the subject having transplanted pancreatic cells. Support for such an amendment is found throughout the instant specification, for example, page 7, lines 9-11:

"Thus, according to another aspect of the present invention, cannabidiol is administered to a subject having transplanted pancreatic cells, to thereby prolong survival of the pancreatic cells transplanted in the subject."

Other amendments are clerical in nature. Thus, the amendments do not constitute introduction of new subject-matter.

Applicants reserve the right to file, at a later date, additional divisional applications claiming priority from the present application which are directed to the non-elected Group.

Respectfully submitted,

/Jason H. Rosenblum/

Jason H. Rosenblum  
Registration No. 56437  
Telephone: 718.246.8482

Date: April 15, 2010